

NJ TRANSIT

**BOARD ADMINISTRATION COMMITTEE MEETING
OPEN TO MEMBERS OF THE PUBLIC**

WEDNESDAY, SEPTEMBER 20, 2017

2:00 PM

**ONE PENN PLAZA EAST
9TH FLOOR BOARD ROOM
NEWARK, NJ 07105**

**NJ TRANSIT BOARD
ADMINISTRATION COMMITTEE MEETING
OPEN TO MEMBERS OF THE PUBLIC**

**WEDNESDAY, SEPTEMBER 20, 2017
2:00 PM – BOARD ROOM – 9TH FLOOR – NEWARK, NJ**

PUBLIC COMMENTS ON AGENDA (Two minutes per speaker)

BOARD ITEMS

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CONTRACTING OUT- BERGEN COUNTY LOCAL BUS SERVICE
(*PRESENTER: RONALD NICHOLS*)

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TITLE VI PLAN SUBMISSION FOR FFY2018-2020
(*PRESENTER: LEOTIS SANDERS*)

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ITEM 1710-XX: CONTRACTING OUT- BERGEN COUNTY LOCAL BUS SERVICE

BENEFITS

This contract will provide for the operation of local bus service in Bergen County on Routes 751, 752, 753, 755, 756, 762, 772, and 780. In fiscal year 2017, these eight routes comprising this service served a combined ridership of 917,618 annual passenger trips. Continuation of this service is important to our riders and it is consistent with our mission to provide for the operation of a coherent public transportation system in the most efficient and effective manner.

ACTION (Scorecard: Financial Performance, Customer Experience)

Staff seeks authorization to enter into NJ TRANSIT Contract No. 17-023 with Saddle River Trails, Inc. of Wallington, New Jersey to operate the Bergen County Local Bus Service, as set forth in Exhibit A for a 36-month contract period from November 12, 2017 through November 14, 2020, at a total cost not to exceed \$18,967,884, plus five percent for contingencies.

Staff will seek authorization, at a later date, to exercise options to extend NJ TRANSIT Contract No. 17-023 for two 24-month periods, in accordance with the Request for Proposal and the carrier's proposal, at a cost not to exceed \$13,928,884 for the first option period from November 15, 2020 through November 12, 2022 and \$15,052,245 for the second option period from November 13, 2022 through November 16, 2024, plus five percent for contingencies.

The combined contract cost with option periods is not to exceed \$47,949,013, plus five percent for contingencies.

PURPOSE

Authorization will continue the Bergen County Local Bus Service which staff has identified as appropriate service that might be operated more economically by seeking competitive bids for its performance. The carrier will comply with New Jersey's Conscientious Employee Protection Act.

BACKGROUND

On March 7, 2017, NJ TRANSIT advertised a Request for Proposals (RFP) to request private motorbus carriers to provide bus service in the Bergen County area for an initial contract period of three years and for two 24-month option periods. The RFP required prospective carriers to provide a proposed price for the operation of the service, for the base contract period and both 24-month option periods that may be exercised solely at the discretion of NJ TRANSIT. The Pre-Proposal Conference was held on March 17, 2017 at NJ TRANSIT headquarters.

NJ TRANSIT's Technical Evaluation Committee reviewed the private carrier proposals received in response to the RFP and a benchmark cost was established by NJ TRANSIT's Bus Operations for the operation of the service. A minimum score of 75 points on the technical proposal was required for the cost proposal to be considered. Cost proposals for any firms that did not receive the minimum technical score would be returned unopened.

The technical proposals for these routes were reviewed by the Technical Evaluation committees (TECs) comprised of:

- Finance- Budgets
- Bus Operations- Bus Service Planning
- Light Rail & Contract Services – Private Carrier Affairs

On May 11, 2017, NJ TRANSIT received three responses to the RFP from Saddle River Trails, Inc.; Community Transportation, Inc., a Coach USA company; and Transdev Services, Inc. All proposers met the minimum score of 75 points on the technical proposal and the cost proposals were opened. The cost proposals were also assigned scores with the lowest total cost assigned a score of 100 (out of 100 points) and the second and third place cost was assigned a proportional lower score.

The final scores for the three proposers were as follows:

FACTOR	SADDLE RIVER TRAILS, INC	Proposal B	Proposal C
Technical	91.50	94.75	75.00
Cost	100.00	94.96	88.68
Total	191.50	189.71	163.88

The competitive procurement process, utilized by NJ TRANSIT for contracting bus service, provides for a comparison of the carriers' cost proposals to the benchmark cost for the operation developed by NJ TRANSIT's Bus Operations for the proposed routes. The Amalgamated Transit Union (ATU) participates in this process to enable NJ TRANSIT Bus Operations to submit its benchmark.

The comparison of cost for operations of the full-size bus routes is presented below:

CARRIER	COST PROPOSAL
Saddle River Trails Wallington, New Jersey	\$47,949,013
Proposal B	\$50,367,251
Proposal C	\$53,377,740
NJ TRANSIT Bus Operation Newark, New Jersey	\$94,865,839

Upon completion of the competitive procurement process, it was determined that Saddle River Trails, Inc.'s proposal provides the best value and is in the best interest of NJ TRANSIT. Saddle River Trails, Inc. is a SBE Category 3 vendor. In addition, Saddle River Trails, Inc. total proposed cost is less than the NJ TRANSIT benchmark cost developed by NJ TRANSIT's Bus Operations.

Comparing the final fiscal year of the existing contract cost (FY18 aggregated \$6,271,639) to the first year of the new proposed contract cost (FY19 aggregating \$6,161,824), NJ TRANSIT's annual contract cost for the Bergen County Local Bus Service would decrease by \$109,815 over the next fiscal year.

FISCAL IMPACTS

Requested Authorization:	\$18,967,884 (36 months) plus 5% for contingencies
Total Project Cost:	\$19,916,278
Projected Date of Completion:	November 14, 2020 for the base contract period
Capital Project Amount:	N/A
Operating Budget Amount:	FY18 (7 months) \$3,810,307 FY19 \$6,161,824 FY20 \$6,460,881 FY21 (5 months) \$2,534,872
Anticipated Source of Funds:	Fiscal Years 2018-2021 Operating Budgets
Prints ID Number:	N/A

DBE/SBE Goal:	2% SBE –Category 3
<i>NJ Build Amount:</i>	N/A
Related/Future Authorizations:	N/A
Impacts on Subsequent Operating Budgets:	Provides passenger revenue

PROPOSED RESOLUTION

WHEREAS, staff has determined that it is appropriate to provide local bus service in Bergen County and a Request for Proposals (RFP) was issued to seek competitive proposals from private motorbus carriers to provide these services, and

WHEREAS, NJ TRANSIT's Technical Evaluation Committee has reviewed the private carrier proposals received for the operation of the Bergen County Local Bus Service, as well as the NJ TRANSIT Bus Operations benchmark cost for the service; and

WHEREAS, NJ TRANSIT's Technical Evaluation Committee determined the proposal from Saddle River Trails, Inc. provides the best value and is in the best interest of NJ TRANSIT;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to enter into NJ TRANSIT Contract No. 17-023 with Saddle River Trails, Inc. for the operation of the Bergen County Local Bus Service for an initial 36-month base contract period at a total cost not to exceed \$18,967,884, plus five percent for contingencies subject to the availability of funds and Board approval of NJ TRANSIT's operating budget.

EXHIBIT A

BERGEN COUNTY LOCAL BUS SERVICE

<u>Route #</u>	<u>Description</u>
751	North Bergen – Edgewater -Paramus
752	Oakland – Ridgewood - Hackensack
753	New Milford - Paramus
755	Edgewater - Paramus
756	Fort Lee – Paramus
762	Hackensack – New Milford - Paramus
772	New Milford – Moonachie - Secaucus
780	Englewood – Passaic

ITEM 1710-XX: NJ TRANSIT TITLE VI PLAN SUBMISSION FOR FFY 2018-2020

BENEFITS

NJ TRANSIT, as a recipient of federal funds from the Federal Transit Administration (FTA), is required to prepare and submit a Title VI Plan to FTA for review and concurrence once every three years. The contents of the Title VI Plan are specified in FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients. The Title VI Plan must be approved by NJ TRANSIT's Board of Directors prior to submission to the FTA. NJ TRANSIT's current Title VI Plan expires November 30, 2017, and Board approval and submission of this Title VI Plan will enable NJ TRANSIT to remain in compliance with Title VI requirements that apply to all recipients of federal transit funds. Upon Board approval and submission, NJ TRANSIT's Title VI Plan will go into effect with FTA December 1, 2017.

ACTION (Scorecard: Customer Experience, Corporate Accountability)

Staff seeks approval of NJ TRANSIT's Title VI Plan prior to submission to the FTA. Board approval is also sought NJ TRANSIT's Service Monitoring Report as verification of the Board's consideration, awareness, and approval of the monitoring results.

PURPOSE

The FTA requires that all direct and primary recipients of federal transit funding document their compliance with DOT's Title VI regulations by submitting a Title VI Plan to their FTA regional civil rights officer once every three years. FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients further states that "the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to the FTA."

BACKGROUND

Title VI of the Civil Rights Act of 1964 seeks to ensure that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

To demonstrate that NJ TRANSIT is complying with Title VI requirements, FTA requires NJ TRANSIT to prepare and submit a Title VI Plan every three years. A staff level Title VI Working Group was established 2014 in order to develop the elements of NJ TRANSIT's Title VI Plan, which requires data and input from across the organization. The Working Group includes staff from the following departments: Capital Planning and Programming (Planning, Research and Forecasting, GIS, Light Rail), Bus Operations (Bus Service Planning), Rail Operations (Rail Service Planning), Finance, Communications and Customer Service, and Government and External Affairs.

Technical guidance and oversight in the development of NJ TRANSIT's Title VI Plan is provided by the Office of Civil Rights.

In 2014, NJ TRANSIT submitted its Title VI Program for FFY 2015-2017. This submission was the first under the revised FTA Title VI Circular; FTA Circular 4702.1B. The Board reviewed and approved the overall submission, and specific key policies and procedures in the submission such as NJ TRANSIT's Major Service Change Policy; Disparate Income and Disproportionate Burden Policies; Systemwide Service Standards and Policies; and Equity Analysis Procedures, on October 8, 2014. In 2015, NJ TRANSIT performed Title VI fare and service equity analyses as part of its 2015 Fare and Service Adjustment process. The Board approved the results of the fare and service equity analyses on July 15, 2015. The Title VI Working Group reviewed the demographic data of NJ TRANSIT's service area, the organization's operations and service environment, and the effectiveness of the fare and service equity analysis processes, and determined there have been no significant changes in any service aspects that warrant update or alteration to any of these key policies and procedures. Therefore, those key policies and procedures approved by the Board in 2014 have not been changed, and are carried over into the current Title VI Plan for FFY 2018-2020.

In May 2017, NJ TRANSIT received a Title VI Compliance Review from FTA. No final report has been received, however, NJ TRANSIT has incorporated certain technical guidance and suggested corrective actions received during the review into this current Title VI Plan submission.

Title VI Program Contents

NJ TRANSIT's Title VI Plan's full table of contents is attached to this Board Item as Appendix A.

Service Monitoring Requirement

NJ TRANSIT must monitor its service to ensure that service is being provided equitably to minority and non-minority areas. Services are measured against NJ TRANSIT's Systemwide Service Standards and Policies for the delivery of rail, bus, and light rail service. The results of service monitoring are required to be reported to, reviewed and approved by the Board once every three years as part of Title VI compliance. Appendix B contains an executive summary of the service monitoring report.

FISCAL IMPACTS

Requested Authorization: None

Past Authorizations: None

Expenditures to Date: None

Total Project Cost:	NA
Projected Date of Completion:	NA
Capital Program Amount:	NA
Operating Budget Amount:	NA
PRINTS ID Number:	NA
Anticipated Source of Funds:	NA
DBE/SBE Goal:	NA
<i>NJ Build</i> Amount:	NA
Future/Related Authorizations:	None
Impact on Subsequent Operating Budgets:	NA

PROPOSED RESOLUTION

WHEREAS, NJ TRANSIT as a recipient of federal funds must submit a Title VI Plan to the Federal Transit Administration once every three years; and

WHEREAS, NJ TRANSIT submitted to the Board 2014 a Title VI Plan for FFY 2015-2017 with a Major Service Change Policy; Disparate Income and Disproportionate Burden Policies; Systemwide Service Standards and Policies; and Equity Analysis Procedures that was approved on October 8, 2014; and

WHEREAS, NJ TRANSIT has developed a 2017 Title VI Plan for FFY 2018-2020 that maintains unchanged the policies and procedures of NJ TRANSIT's 2014 Title VI Plan submission; and

WHEREAS, NJ TRANSIT's 2017 Title VI Plan has been compiled in compliance with FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients; and

WHEREAS, FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration Recipients, requires that the NJ TRANSIT's Board approve NJ TRANSIT's Title VI Plan prior to submission to the Federal Transit Administration; and

WHEREAS, the Circular also requires that NJ TRANSIT monitor its service to ensure that service is provided equitably in minority and non-minority areas; and

WHEREAS, the Circular also requires that the NJ TRANSIT Board be aware of and approve the monitoring results;

NOW, THEREFORE, BE IT RESOLVED, that the NJ TRANSIT Board of Directors has considered, is aware of, and approves the results of NJ TRANSIT's monitoring of its service to ensure the service is provided equitably in minority and non-minority areas; and

BE IT FURTHER RESOLVED, that the NJ TRANSIT Board of Directors approves NJ TRANSIT's 2017 Title VI Plan for submission to the Federal Transit Administration.

APPENDIX A

NJ TRANSIT TITLE VI PLAN CONTENTS

NEW JERSEY TRANSIT

TITLE VI PLAN SUBMISSION FOR FFY 2018-2020

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APPENDIX B

NJ TRANSIT TITLE VI SERVICE MONITORING 2017

NJ TRANSIT TITLE VI SERVICE MONITORING REPORT 2017

Executive Summary

INTRODUCTION

As part of its 2017 Title VI Plan submission for FFY 2018-2020, NJ TRANSIT conducted service monitoring for its bus, rail, and light rail services. The Federal Transit Administration's Circular 4702.1B (FTA C 4702.1B), "Title VI Requirements and Guidelines for Federal Transit Administration Recipients," requires transit providers to ensure that service design and operational practices do not result in discrimination against minority populations. Specifically, transit agencies are required to monitor fixed-route service at least every three years using established service standards and policies. Transit agencies must establish four service standards: on-time performance, vehicle headways, vehicle load, and service availability; and two service policies: distribution of passenger amenities and vehicle assignment. FTA C 4702.1B requires that the results of the monitoring program are approved by the transit agency's board of directors.

METHODOLOGY OVERVIEW

NJ TRANSIT utilized service standards and policies established for Title VI service monitoring to compare the quality of service provided to predominantly minority areas to service provided to predominantly non-minority areas. NJ TRANSIT's Title VI systemwide service standards and policies were developed by NJ TRANSIT's Title VI Working Group and adopted by the Board as part of NJ TRANSIT's 2014 Title VI Plan submission. The service standards and policies were established by mode, with the exception of the Service Availability standard, which was set for the state as a whole.

NJ TRANSIT used operating data and demographic data to conduct its service monitoring. Service monitoring was conducted by identifying minority and non-minority services for all three fixed-route modes. NJ TRANSIT compared the performance of minority and non-minority services at the route/line or station level, depending on the circumstances or data available. Note that NJ TRANSIT's service monitoring for Title VI purposes did not assess performance generally. Instead it focused on whether passengers experiencing sub-standard performance were disproportionately minority. NJ TRANSIT made this determination by applying its disparate impact policy, where appropriate.

MONITORING RESULTS

NJ TRANSIT's 2017 monitoring for bus, light rail, and rail services found no disparate impacts. The table in the next page summarizes NJ TRANSIT's monitoring results for each service standard and policy by mode, except for service availability, which was evaluated statewide for all modes together.

Service Standard	Bus	Light Rail	Rail
Vehicle Load	No disparate impact	No disparate impact	No disparate impact*
Vehicle Headway	No disparate impact	No disparate impact	No disparate impact
On-Time Performance	No disparate impact	No disparate impact	No disparate impact*
Service Availability	No disparate impact		
Service Policy	Bus	Light Rail	Rail
Transit Amenities	No disparate impact	No disparate impact	No disparate impact
Vehicle Assignment	No disparate impact	No disparate impact	No disparate impact

*All lines are minority and met the service standard/policy.

In nearly all cases, NJ TRANSIT found that minority and non-minority services performed equally well, or that minority services actually performed better than their non-minority counterparts. In the few instances that minority services performed worse than non-minority services, the difference fell within the allowable disparate impact threshold (10-point difference). Therefore no disparate impact was found.